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Sent: Thursday, February 19, 2015 8:22 AM
To: pstestimony
Cc: Rep. Conroy, Theresa; mfreda@att.blackberry.net
Subject: Blasting Regulations HB6494

I understand that there is a public hearing regarding blasting regulations on 2/19/2015 at 7pm. I am sending this email as I am unable to attend.

I am currently in a dispute with the developer and Shoreline Blasting who did blasting to a mountain adjacent to my property on Patten Road in North Haven. The mountain needed to be removed to achieve an acceptable site line at the entrance of the new subdivision.

The blasting resulted in cracks in walls and ceilings in several rooms in my house. I placed a claim with Shoreline Blasting's liability carrier, Fairmont Specialty. They sent me a boiler plate three page letter denying the claim without even having anyone come out to look at the damage and the proximity of my house to the blasting.

Their position is that the documentation provided by Shoreline Blasting shows that the blasting was within the regulatory limits and therefore could not have caused the damage. This is ludicrous as the damage to my walls and ceilings were not there prior to the blasting.

I attended several planning and zoning meetings when this matter was being discussed for approval. Attorney Bernard Pellagrino represented to the commission and the residents that we would be notified prior to the blasting and that our homes would be inspected and certified prior to the blasting documenting that wells, foundations, etc. were intact. None of these things were done and the blasting commenced without any notification whatsoever. My home is at the top of the mountain and received a direct impact from the blasting. All other homes in the area are at street level. The blasting sounded very loud, my whole house shook and even in January you could smell the gun powder in the

house. There was no seismograph put on or near my property. There were no signs put on the street notifying the residents that there was blasting. I was unable to hear the warning siren as all windows were closed. We received no written notification.

I did visit our fire department prior to the blasting as I saw that the machinery was in place. I was concerned even before the blasting started that the residents were not notified. I was told by the assistant fire chief that he was unaware that any permit had been issued. He also indicated that he had witnessed several blasts in his career and that all that is heard is a "popping sound". This is NOT how I would characterize the sound and impact that I experienced. I returned several times voicing concerns and was repeatedly told there was nothing that could be done as the permit had been issued. I did not understand why the permit could not be rescinded pending an investigation into my concerns. The blasting continued and the damage increased.

Attorney Pelligrino stated clearly at the meetings that if any damage was done to private property, it would be covered by the blaster's liability policy. He did NOT represent that only damage that was done outside of the accepted seismic parameters would be covered. A member of the zoning commission also concurs with my recollections. We can retrieve his statements as the meetings were video taped. I have also asked the fire marshall to request the seismograph records from Shoreline Blasting. I do not have much faith in those records and feel an independent agency should be documenting the blasting in the event of a dispute.

After several visits to the fire department and First Selectman's office, the North Haven Fire chief finally came to my home and took pictures of the damaged walls and ceilings. He then contacted Shoreline Blasting and requested a seismograph be placed on my property. This was done and when the machine was there the sound and impact of the blasting was no where near as loud or forceful as the blasts done during the

previous weeks. Finally a sign was put on the street indicating a blasting zone.

I also contacted the State Fire Marshall to get his opinion on my options at this point. He indicated that with the regulations that are in place at this time....I am facing a large uphill battle to get any restitution.

I am only requesting that payment be made for the cost of the painter repairing and painting and re-popcorning the cathedral ceilings and walls that are damaged. I am also concerned about the loose regulations surrounding this process. I take responsibility for my property and expect those who cause damage to pay to return my home to the way it was. This entire process was handled poorly and I feel like a victim to a system that has no checks and balances and protection to citizens once a permit is issued.

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